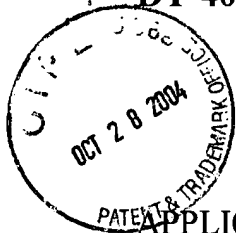


DT-4042



3721
Hw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Markus Hartmann

SERIAL NO.: 09/928,777

FILED: August 13, 2001

FOR: Quick-Action Locking Device

EXAMINER: Michelle Lopez

Group: 3721

Box: **Amendment**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

COMMUNICATION

Sir:

In response to the Notice of Non-Compliant Amendment dated October 13, 2004, that points out that the Claims were not provided with proper status identifiers, applicant resubmits the section of amendments to the claims, with appropriate status identifiers. Allowance of the application is respectfully requested.

Respectfully Submitted

Alexander Zinchuk

Alexander Zinchuk

Reg. No. 30,541

Dated: October 26, 2004
Sidley Austin Brown & Wood LLP
787 Seventh Avenue
New York, NY 10019
Tel.: (212) 839-7365

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 26, 2004.

for David Toren *ALEXANDER ZINCHUK*
Signature: *Alexander Zinchuk*



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,777	08/13/2001	Markus Hartmann	DT-4042	7693

30377 7590 10/13/2004

DAVID TOREN, ESQ.
SIDLEY, AUSTIN, BROWN & WOOD, LLP
787 SEVENTH AVENUE
NEW YORK, NY 10019-6018

EXAMINER

LOPEZ, MICHELLE

ART UNIT PAPER NUMBER

3721

DATE MAILED: 10/13/2004

Response
PERIOD EXPIRES
Nov. 13, 2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 14
ALEXANDRIA, VA 22313-14
WWW.USPTO.GOV

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 10-1-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officetlver.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Deborah Pollard
Legal Instruments Examiner (LIE)

703-305-3455
Telephone No.

In the Claims:

1-10. (Cancelled).

11. (Previously presented). A quick-action locking device according to Claim 18, wherein the angle (α), which the passing line forms with the longitudinal axis of the locking spindle (4), amounts to from 30° to 120° .

12. (Previously presented). A quick-action locking device according to Claim 11, wherein the angle (α) is equal to about 80° .

13. (Currently amended). A quick-action locking device according to Claim ~~12~~19, wherein the end angle (β) amounts to about 10° .

14. (Cancelled).

15. (Previously presented). A quick-action locking device according to 18, wherein the predetermined radius (R) of the slider-forming annular support member amounts to .2 – 9, of the distance (a) between the contact point and the pivot axis (9).

16. (Previously presented). A quick-action locking device according to Claim 15, wherein the predetermined radius (R) amounts to about .4 of the distance (a) between the contact point and the pivot axis (9).

17. (Cancelled).

18. (Currently amended). A quick-action locking device for an electrical power tool and designed for securing a working tool (3) to a motor-driven hollow spindle (2) located in a housing (1) of the power tool, the quick-action locking device comprising a locking spindle (4) axially displaceable in the hollow spindle (2) of the electrical power tool; a resilient member (5) for axially restraining the locking spindle (4); a locking flange (7) cooperating with the locking spindle (4) for securing the working tool (3) to the spindle (2) for joint rotation therewith; and a locking lever (6) provided at an end of the locking spindle (4) remote from the working tool (3) and pivotable about a pivot axis (9) between a locking position, in which the working tool (3) is secured to the spindle (2), and an exchange position in which the working tool (3) can be replaced, the locking lever (6) having a slider (8) for applying a force to the locking spindle (4) for displacing the locking spindle (4) against a biasing force of the resilient member (5) upon a pivotal movement of the locking lever (6) from the locking position to the exchange position, the slider (8) having a contact region engageable with a contact surface (11) provided at the end of the locking spindle (4) remote from the working tool (3),

wherein the contact surface (11) of the locking spindle (4) has a length (K) corresponding to at least a radial distance (a) between a point of contact of the contact region of the slider (8) with the contact surface (11) of the spindle (4) in the locking position of the lever (6), and the pivot axis (9) of the locking lever (6), multiplied by $\sin(\alpha)$ of an angle (α) formed by a line passing through the contact point and the pivot axis (9) of the locking lever (6), with a longitudinal axis of the spindle (4); and

wherein the slider (8) is formed as an annular support member having a predetermined constant radius (R) and an axis of which extends parallel to and spaced from the pivot axis (9) and wherein the radius R runs from the axis of the annular support member.

19. (Previously presented). A quick-action locking device according to Claim 18, wherein in the exchange position of the locking lever (6), the passing line forms with the longitudinal axis of the locking spindle (4) an end angle (β) that amounts from about 5° to about 30° .

20. (Currently Amended). An electrical power tool, comprising a housing (1); a hollow motor-driven spindle (2) located in the housing (1); a working tool (3); and a quick-action locking device for securing the working

tool (3) to the spindle (2), the quick-action locking device ~~having~~ comprising a locking spindle (4) axially displaceable in the hollow spindle (2) of the electrical power tool; a resilient member (5) for axially restraining the locking spindle (4); a locking flange (7) cooperating with the locking spindle (4) for securing the working tool (3) to the spindle (2) for joint rotation therewith; and a locking lever (6) provided at an end of the locking spindle (4) remote from the working tool (3) and pivotable about a pivot axis (9) between a locking position, in which the working tool (3) is secured to the spindle (2), and an exchange position in which the working tool (3) can be replaced, the locking lever (6) having a slider (8) for applying a force to the locking spindle (4) for displacing the locking spindle (4) against a biasing force of the resilient member (5) upon a pivotal movement of the locking lever (6) from the locking position to the exchange position, the slider (8) having a contact region engageable with a contact surface (11) provided at the end of the locking spindle (4) remote from the working tool (3),

wherein the contact surface (11) of the locking spindle (4) has a length (K) substantially equal to a distance (a) between a point of contact of the contact region of the slider (8) with the contact surface (11) of the spindle (4) in the locking position of the lever (6) and the pivot axis (9) of the locking lever

(6), multiplied by $\sin(\alpha)$ of angle (α) formed by a line passing through the contact point and the pivot axis (9) of the locking lever (6), with a longitudinal axis of the spindle (4); and

wherein, the slider (8) is formed as an annular support member having a predetermined radius and an axis of which extends parallel to and spaced from the pivot axis.